

REMARKS/ARGUMENTS

This Amendment is in response to the office Action mailed January 24, 2005. In the Office Action, claims 1, 21, 25, 32, and 38 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 10, 16 and 19 of copending Application No. 09/271,011. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented. Claims 2-8, 22-23, 26-31 and 33-37 were considered allowable by the Examiner, but merely dependent on a rejected base claim.

Claims 1-8, 21-23, and 25-38 remain in this application and have not been amended.

Applicants respectfully submit herewith an executed terminal disclaimer to obviate the obviousness-type double patenting rejection. Applicants respectfully request that the obviousness-type double patenting rejection be withdrawn and a Notice of Allowance be issued at the Examiner's earliest convenience.

Applicants submit herewith an information disclosure statement (IDS) because it is noted that some prior art references, cited in co-pending continuation applications, have not been referenced in the PTO-1440 forms or Office Actions provided by the Examiner. Although it is clear that the Examiner has considered all prior art references in the related cases, for the record, Applicants respectfully request that consideration of these prior art references be noted by initialing the SB-08A forms provided with the IDS. The Examiner is thanked in advance for his attention to this matter.

If there are any further issues, to facilitate prosecution of the subject application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

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By


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Date: 03/28/05


Susan McFarlane

03/28/05

Date